

## **REMARKS**

Claims 6-22 are pending in the above-identified application. The Examiner has required restriction to one of the following groups of claims under 35 U.S.C. § 121:

- I. Claims 6-12, 19-20 and 22, drawn to an apparatus for disabling a firearm, classified in class 42, subclass 70.08.
- II. Claims 14-18, drawn to an apparatus for firing a cartridge, classified in class 42, subclass 16.
- III. Claim 21, drawn to a method for retrofitting a firearm, classified in class 42, subclass 16.1.

The language immediately above is taken verbatim from the Office Action for the sake of clarity and accuracy, and is not intended as an admission of any sort by the Applicants as to the subject matter of any claim or the propriety of the restriction requirement.

Initially, it is noted that a prior Office Action on the merits of this application was issued, to which a response was filed on July 30, 2004. No restriction requirement was made in that prior Office Action. It is respectfully suggested that the Examiner's apparent earlier belief that restriction was not required was correct.

It is believed that searching and examining the entire application can be made without serious burden. Several patents have been found that are classified in both subclasses 70.08 and 16 of class 42, showing that a single patent can include subject matter in both subclasses, and moreover that searching in both subclasses for a patent occurs and is not burdensome. Subclass 16.1 of class 42 is indented under subclass 16 in the Manual of Patent Classification, indicating their close relationship. A reasonable search of "breech loading, sliding breechblock, rearward" art in subclass 16 should include a search of art concerning methods of making the same in subclass

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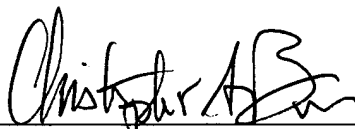
16.1. This assumes it is correct that the subject matter of claim 21 is properly classifiable in subclass 16.1 as having "a step of fabricating a rearward sliding breechblock." In summary, it is not believed to be substantially more burdensome on the Examiner to examine all of the pending claims together. On that basis, it is respectfully requested that the Examiner withdraw the restriction requirement and examine all pending claims. See MPEP 803 and 808.02.

For completeness, claims 6-12, 19-20 and 22 are selected for prosecution, with traverse on the grounds noted above.

The election herein is not believed or intended to limit the scope of coverage of any patent that may issue on this application, which scope is intended to be reflected solely by the claims, and not by any particular language or disclosure in the specification. No claim amendments have been made.

In conclusion, the restriction requirement is traversed as noted above, while an election has been made as the rules require. The withdrawal of the requirement and consideration of all claims, and an action toward a Notice of Allowance, is respectfully requested.

Respectfully submitted,



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